

Rhodes Pharm. v. Actavis, et al.
Scheduling Order

Event	Joint Proposal	Plaintiff's Proposal	Defendants' Proposal
Fed. R. Civ. P. 26(f) planning conference	July 7, 2016		
Joint Proposed Discovery Plan to be submitted	July 18, 2016		
Rule 16 Scheduling Conference with Court	July 21, 2016		
Fed. R. Civ. P. 26(a) initial disclosures	July 28, 2016		
Stipulated E-Discovery Plan to be filed	To be agreed by Parties		
Disclosure of asserted claims (L. Pat. R. 3.6(b))	August 11, 2016		
E-Discovery Conference pursuant to L. Civ. R. 26.1(d) to occur	No later than August 12, 2016		
Proposed Discovery Confidentiality Order to be filed (L. Pat. R. 2.2)	No later than August 19, 2016		
Non-infringement contentions served and accompanying document production made (L. Pat. R. 3.6(e)-(f))	August 25, 2016		
Invalidity contentions and accompanying document production served (L. Pat. R. 3.6(c)-(d))	August 25, 2016		
Infringement contentions and accompanying document production served (L. Pat. R. 3.6(g)-(h))	October 7, 2016		

Response to invalidity contentions served (L. Pat. R. 3.6(i))	October 7, 2016		
Parties exchange lists of claim terms for construction (L. Pat. R. 4.1(a))	October 21, 2016		
Parties exchange preliminary proposed claim constructions and identify supporting intrinsic and extrinsic evidence (including identification of witness testimony and summary of expert opinions in support of claim construction) (L. Pat. R. 4.2(a)-(b))	November 11, 2016		
Parties identify responsive intrinsic and extrinsic evidence (L. Pat. R. 4.2(c))	November 30, 2016		
Joint claim construction and prehearing statement to be filed (L. Pat. R. 4.3)	December 16, 2016		
Substantial completion of document production ¹		Plaintiff Opposes this Schedule Entry	April 10, 2017
Deadline to seek leave to amend pleadings or join parties	60 days after <i>Markman</i> Order		
Completion of claim construction discovery other than expert witness depositions (L. Pat. R. 4.4)	January 13, 2017		
Document production completed		Plaintiff Opposes this Schedule Entry	MAY 1, 2017

Simultaneous Opening <i>Markman</i> briefs (L. Pat. R. 4.5(a))	January 31, 2017		
Completion of discovery from experts who submitted declaration with opening <i>Markman</i> brief (L. Pat. R. 4.5(b))	February 24, 2017		
Simultaneous Responsive <i>Markman</i> briefs (L. Pat. R. 4.5(c))	March 24, 2017		
Joint proposal of schedule for <i>Markman</i> hearing (L. Pat. R. 4.6)	March 31, 2017		
<i>Markman</i> hearing	TBD (<i>April/May 2017 subject to Court's availability</i>)		
Advice-of-counsel disclosures and production (L. Pat. R. 3.8)	30 days after <i>Markman</i> Order		
Close of fact discovery	July 26, 2017		
Opening expert reports on issues for which the party bears the burden of proof	August 30, 2017		
Rebuttal expert reports	October 4, 2017		
Reply expert reports	November 8, 2017		
Close of expert discovery	December 13, 2017		
Filing of dispositive motions	No later than January 19, 2018		
Deadline for filing <i>Daubert</i> Motions	TBD		

Joint Final Pretrial Order	TBD at the Court's convenience (no later than 5 business days before the pre-trial conference)		
Final Pretrial conference	March 2018		
Trial	April 2018		

The Court will hold telephone conferences, to be initiated by plaintiff, on 11/21/16 @ 10:30am and 1/18/17 @ 10:00 am.

So Ordered
s/Cathy L. Waldor

7/21/16

USMS C. Waldor